

Appl. No. 10/714,369
Amdt. dated July 27, 2005
Reply to Office Action of April 15, 2005

PATENT

REMARKS/ARGUMENTS

Claims 1-19 are pending in the application and are presented for reconsideration and allowance.

Claims 1-19 were rejected under the judicially created doctrine of obviousness-type double patenting, as allegedly unpatentable over the claims of U.S. Patent No. 6,655,587 to Andrews et al. (hereinafter the '587 patent).

The '587 patent and the present application have a common assignee. The '587 patent assignment is recorded with the PTO at Reel 013979 and Frame 0614. The assignment of the present application is recorded with the PTO at Reel 016293 at Frame 0037.

Applicant submits a Terminal Disclaimer with this correspondence. As such, Applicant respectfully requests withdrawal of the obviousness-type double patenting rejection.

CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



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